



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Chris Steele • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Mark Simon

**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
AGENDA PACKET**

For the Regular Meeting of Wednesday
March 4, 2015

7:00 P.M. Regular Meeting

District Office
1800 Willow Lake Road



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



President – Chris Steele • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Mark Simon

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday March 4, 2015
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Pledge of Allegiance
3. Roll Call

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the agenda. The public may comment on any item on the Agenda at the time the item is before the Board for consideration. Any person wishing to speak must come up and speak from the podium. There will be no dialog between the Board and the commenter. Any clarifying questions from the Board must go through the Chair.

C. AREA AGENCIES REPORTS / PRESENTATION

1. Sheriff's Office Report
2. CHP Report
3. East Contra Costa Fire Protection District Report
4. Supervisor Mary Piepho, District III Report

D. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report
2. County Planning Commission Report
3. Code Enforcement Report
4. Special Districts Report**

***These meetings are held Quarterly*

E. PRESENTATIONS

1. Capital Improvement Program Update

F. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approval of DRAFT minutes of regular meeting dated February 18, 2015
2. Approve Register of District Invoices
3. Approve and Record the Notice of Completion for the Swimming Pool Rehabilitation and Resurfacing Project and authorize release of the Retention

G. BUSINESS AND ACTION ITEMS

1. 2015 Parks and Recreation Event Calendar
2. Agency Comment Request - LP15-2007 -Temporary Events Held at the Discovery Bay Yacht Harbor
3. Approve and Adopt Resolution No. 2015-04 Establishing a Revolving Fund Pursuant to Government Code §53952

- H. **INFORMATIONAL ITEMS ONLY (NO ACTION NECESSARY)**
- I. **PRESIDENT REPORT AND DIRECTORS' COMMENTS**
- J. **MANAGER'S REPORT – Discussion and Possible Action**
- K. **GENERAL MANAGER'S REPORT – Discussion and Possible Action**
- L. **DISTRICT LEGAL COUNSEL REPORT**
- M. **SUB-COMMITTEE UPDATES – Discussion and Possible Action**
 - 1. Finance
 - 2. Communications
 - 3. Parks and Recreation
 - 4. Water and Wastewater
 - 5. Waterways
- N. **CORRESPONDENCE – Discussion and Possible Action**
- O. **PUBLIC RECORD REQUESTS RECEIVED**
- P. **FUTURE AGENDA ITEMS**
- Q. **ADJOURNMENT**
 - 1. Adjourn to the next regular meeting dated March 18, 2015 starting at 7:00 p.m. on 1800 Willow Lake Rd – Located behind the Delta Community Presbyterian Church.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925)634-1131, during regular business hours, at least twenty-four hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Chris Steele • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Mark Simon

No Back Up
Documentation
For Agenda Item C



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Chris Steele • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Mark Simon

No Back Up
Documentation
For Agenda Item D



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Chris Steele • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Mark Simon

No Back Up
Documentation
For Agenda Item E



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



President – Chris Steele • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Mark Simon

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday February 18, 2015
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call business meeting to order – 7:00 p.m. by President Steele
Pledge of Allegiance – Led by President Steele
Roll Call – All Present

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

None

C. PRESENTATIONS

None

D. PRESIDENT REPORT AND DIRECTORS' COMMENTS

None

E. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. **Approval of DRAFT minutes of special meeting dated January 31, 2015**
2. **Approval of DRAFT minutes of special meeting dated February 4, 2015**
3. **Approval of DRAFT minutes of regular meeting dated February 4, 2015**
4. **Mission, Vision, Goals and Values Statement**
5. **Approve Register of District Invoices**

Motion by: Vice President Pease to approve the Consent Calendar

Second by: Director Leete

Vote: Motioned Carried – AYES: 5, NOES: 0

F. BUSINESS AND ACTION ITEMS

1. Consideration of Amending Board Policy No. 004 and Adoption of Resolution No. 2015-03

General Manager Howard – Provided the details of item F-1. There was discussion between the General Manager and the Board.

Motion by: Director Graves to amend Board Policy No. 004 and adopt Resolution No. 2015-03, and include language reflecting effective date of Section 1 to be January, 2016.

Second by: Director Leete

Vote: Motioned Carried – AYES: 5, NOES: 0

2. Consideration of Nomination for Vacant California Special Districts Association Board Member Vacancy

General Manager Howard – Provided the details of item F-2. There was discussion between the General

Manager and the Board.

Motion by: Director Simon to authorize the General Manager to submit nomination forms to the California Special Districts Association (CSDA) in order to fill a vacancy on the CSDA Board for the remainder of the term ending December 31, 2015.

Second by: Director Leete

Vote: Motioned Carried – AYES: 5, NOES: 0

3. Badger ORION Cellular BEACON Meter Reading System

Finance Manager Dina Breitstein and General Manager Howard - Provided the details of item F-3. There was discussion between the Finance Manager, General Manager and the Board.

Motion by: Vice-President Pease to authorize payment to National Meter and Automation Inc. in the amount of \$40,586.76 for the Badger ORION Cellular BEACON Meter Reading System; and authorize the General Manager to execute all purchase and contract documents.

Second by: Director Simon

Vote: Motioned Carried – AYES: 5, NOES: 0

4. Requests from local organizations to lease space in District owned facilities

General Manager Howard – Provided the details of item F-4. There was discussion between the General Manager and the Board. The Board directed Staff to return with a concept for a formal agreement for leasing space of District owned facilities by the March 18th Board meeting.

G. INFORMATIONAL ITEMS ONLY (NO ACTION NECESSARY)

1. District Financial Statement Report for the Period ending December 31, 2014 and FY 2014-15 Mid-Year Budget Review

Finance Manager Dina Breitstein – Provided details of item G-1. There was discussion between the Finance Manager and the Board.

H. VEOLIA REPORT

1. Veolia Report – Month of January 2015

Project Manager Berney Sadler – Provided the details of the December 2014 Monthly Operations Report. There was discussion between the Project Manager, the General Manager, and the Board.

I. MANAGER'S REPORTS – Discussion and Possible Action

None

J. GENERAL MANAGER'S REPORT – Discussion and Possible Action

General Manager Howard – Stated that there will be a going away luncheon for Parks & Recreation Manager, Fairin Perez, on Friday, February 20th. The General Manager provided an update of the transition of Board meetings to the community center beginning in either March or April.

K. DISTRICT LEGAL COUNSEL REPORT

None

L. COMMITTEE UPDATES – Discussion and Possible Action

General Manager Howard – The General Manager provided an update of the swimming pool plastering project.

M. CORRESPONDENCE – Discussion and Possible Action

1. R – Contra Costa County Aviation Advisory Committee meeting minutes dated October 9, 2014
2. R – Contra Costa County Aviation Advisory Committee meeting minutes dated January 8, 2015
3. R – East Contra Costa County Fire Protection District meeting minutes dated January 5, 2015
4. R – State Route 4 Bypass meeting minutes dated October 9, 2014
5. R – State Route 4 Bypass meeting minutes dated November 13, 2014

N. PUBLIC RECORD REQUESTS RECEIVED

None

O. FUTURE AGENDA ITEMS

None

P. ADJOURNMENT

The meeting adjourned at 7:56 p.m. to the next Regular meeting dated March 4, 2015 starting at 7:00 p.m. on 1800 Willow Lake Road.

//sh – 02-24-15



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 04, 2015

Prepared By: Dina Breitstein, Finance Manager & Lesley Marable, Sr. Accounts Clerk
Submitted By: Rick Howard, General Manager

RH

Agenda Title

Approve Register of District Invoices

Recommended Action

Staff recommends that the Board approve the listed invoices for payment

Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

Fiscal Impact:

Amount Requested \$ 120,433.05

Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis)

Prog/Fund # See listing of invoices. **Category:** Operating Expenses and Capital Improvements

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2014/2015
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 8 2014/2015
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 9 2014/2015

AGENDA ITEM: F-2

Request For Authorization To Pay Invoices (RFA)
For The Meeting On March 04, 2015
Town of Discovery Bay CSD
For Fiscal Year's 7/14 - 6/15

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
Administration				
Watersavers Irrigation Inc.	1540016-00	Fertilizer (Z57,Z61)	02/11/15	\$2,144.53
		Administration	Sub-Total	\$2,144.53
Water				
Aflac	994908	Supplemental Insurance Feb 2015	02/25/15	\$202.37
Big Dog Computer	BDC33092	Software Repair	02/12/15	\$109.00
Big Dog Computer	BDC33093	Computer Support & Services	02/12/15	\$480.00
Big Dog Computer	BDC33095	Board Room Relocation	02/12/15	\$157.50
Big Dog Computer	BDC33097	Board Room Relocation	02/12/15	\$77.00
Big Dog Computer	BDC33098	Connectivity Repair	02/19/15	\$27.50
Big Dog Computer	BDC33099	Consulting Services	02/19/15	\$33.00
Big Dog Computer	BDC33100	Computer Repair	02/22/15	\$65.00
Bill Pease	FEB 2015	Expense Report Feb 2015	02/25/15	\$138.00
Chris Steele	FEB 2015	Expense Report Feb 2015	02/26/15	\$138.00
Cintas	185500488	Uniforms	02/11/15	\$44.28
Costco	111807341657/0415	Membership	02/24/15	\$3.36
Freedom Mailing Service, Inc	26156	Water Bill Processing Jan 2015	02/10/15	\$1,033.83
Gladwell Governmental Services, Inc.	3135	Records Retention	02/14/15	\$706.05
J.W. Backhoe & Construction, Inc.	2281	Water Leak On Cove Court	02/17/15	\$724.55
J.W. Backhoe & Construction, Inc.	2285	Water Leak On Marlin Drive	02/19/15	\$1,064.00
Lesley Marable	FEB 2015	Expense Report Dec-Feb	02/17/14	\$26.77
Luhdorff & Scalmanini	30449	General Engineering Services	01/25/15	\$1,766.00
MailFinance	N5166775	Quarterly Lease Postage Machine	02/13/15	\$96.41
Mark Simon	FEB 2015	Expense Report Feb 2015	02/25/15	\$138.00
Mashelle Bullington	6286 Cystal Springs Cir	Closed Account, Refund Overpayment	02/19/15	\$50.00
Neopost (Postage Account)	7900044908384658/215	Supply Purchase	02/04/15	\$73.77
Office Depot	755023441001	Office Supplies	02/11/15	\$3.97
Office Depot	755023844001	Office Supplies	02/11/15	\$34.11
Office Depot	755590091001	Office Supplies	02/13/15	\$52.39
Pacific Gas & Electric	2943721807-5/021115	Electric & Gas Bill 01/09/15-02/09/15	02/11/15	\$14,604.95
R & B Company	\$1462874.001	Concrete Utility Box's	02/13/15	\$1,039.43
ReliaStar Life Insurance Company	#JR52 457(B) 022815	457(b) 02/16/15-02/28/15	02/28/15	\$458.04
Robert Leete	FEB 2015	Expense Report Feb 2015	02/25/15	\$138.00
SDRMA	16566	Ancillary Benefits Mar 2015	02/24/15	\$540.41
Shred-It USA-Concord	9404910471	Shredding Service	02/05/15	\$22.90
Some Gave All	FEB 2015	Expense Report Feb 2015	02/25/15	\$297.31
Sue Heini	FEB 2015	Expense Report Feb 2015	02/10/15	\$4.14
TASC	450775312003/0315	Flexible Spending Mar 2015	02/24/15	\$241.66
Veolia Water North America	45939	R&M Jan 2015	02/19/15	\$470.25
		Water	Sub-Total	\$25,061.95
Wastewater				
Aflac	994908	Supplemental Insurance Feb 2015	02/25/15	\$303.55
American Retrofit Systems	1054	Check Electrical For Aerator	02/09/15	\$150.00
American Retrofit Systems	1056	WWTP#2 Aerator	02/19/15	\$700.00
Big Dog Computer	BDC33092	Software Repair	02/12/15	\$163.50
Big Dog Computer	BDC33093	Computer Support & Services	02/12/15	\$720.00
Big Dog Computer	BDC33095	Board Room Relocation	02/12/15	\$236.24
Big Dog Computer	BDC33097	Board Room Relocation	02/12/15	\$115.50
Big Dog Computer	BDC33099	Consulting Services	02/19/15	\$49.50
Big Dog Computer	BDC33100	Computer Repair	02/22/15	\$97.50
Bill Pease	FEB 2015	Expense Report Feb 2015	02/25/15	\$207.00
Chris Steele	FEB 2015	Expense Report Feb 2015	02/26/15	\$207.00
Cintas	185500488	Uniforms	02/11/15	\$66.43
Costco	111807341657/0415	Membership	02/24/15	\$5.05
Gladwell Governmental Services, Inc.	3135	Records Retention	02/14/15	\$1,059.07
Kleinfelder, Inc.	1047886	Groundwater Monitoring Well Installation	02/12/15	\$616.75
Lesley Marable	FEB 2015	Expense Report Dec-Feb	02/17/14	\$40.16
MailFinance	N5166775	Quarterly Lease Postage Machine	02/13/15	\$144.62
Mark Simon	FEB 2015	Expense Report Feb 2015	02/25/15	\$207.00
Neopost (Postage Account)	7900044908384658/215	Supply Purchase	02/04/15	\$110.66
Office Depot	755023441001	Office Supplies	02/11/15	\$5.95
Office Depot	755023844001	Office Supplies	02/11/15	\$51.17
Office Depot	755590091001	Office Supplies	02/13/15	\$78.59

Pacific Gas & Electric	1181942262-4/020915	Electric & Gas Bill 01/08/15-02/08/15	02/09/15	\$7,119.74
Pacific Gas & Electric	7312115758-7/021115	Electric & Gas Bill 01/12/15-02/10/15	02/11/15	\$19,773.11
ReliaStar Life Insurance Company	#JR52 457(B) 022815	457(b) 02/16/15-02/28/15	02/28/15	\$687.06
Robert Leete	FEB 2015	Expense Report Feb 2015	02/25/15	\$207.00
SDRMA	16566	Ancillary Benefits Mar 2015	02/24/15	\$810.61
Shred-It USA-Concord	9404910471	Shredding Service	02/05/15	\$34.35
Solar Bee, Inc.	75707	WWTP#2	02/04/15	\$694.96
Some Gave All	FEB 2015	Expense Report Feb 2015	02/25/15	\$445.96
Stantec Consulting Services Inc	874417	RWD	02/04/15	\$271.50
Sue Heintl	FEB 2015	Expense Report Feb 2015	02/10/15	\$6.21
TASC	450775312003/0315	Flexible Spending Mar 2015	02/24/15	\$362.46
Terex Services	90244654	Genie Lift Maintenance	02/05/15	\$290.62
Veolia Water North America	45919	Large Replacement	02/19/15	\$2,950.00
Veolia Water North America	45920	Credit For Returned Item	02/19/15	-\$25.93
Veolia Water North America	45921	Scada Improvements	02/19/15	\$4,500.00
Veolia Water North America	45922	Fiber to WWTP#1	02/19/15	\$2,413.91
Veolia Water North America	45923	Vehicle Maintenance & Supplies	02/19/15	\$742.93
Veolia Water North America	45939	R&M Jan 2015	02/19/15	\$4,070.46
Woodmill Recycling Company	2015-3527	Greenwaste Recycle	02/15/15	\$37.00

Wastewater Sub-Total \$50,727.19

Community Center

Community Center Sub-Total \$0.00

Grand Total \$77,933.67

Request For Authorization To Pay Invoices (RFA)
For The Meeting On March 04, 2015
Town of Discovery Bay, D.Bay L&L Park #8
For Fiscal Year's 7/14 - 6/15

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
American Retrofit Systems	1057	Install System Cable	02/19/15	\$250.00
Big Dog Computer	BDC33094	Email & Laptop Setup	02/12/15	\$250.00
Burkett's Pool Plastering Inc.	81490-2	Community Center-Pool	02/25/15	\$6,190.00
Cintas	185500488	Uniforms	02/11/15	\$15.71
Cintas	185500488	Community Center-Mats	02/11/15	\$20.75
Cintas	185501309	Uniforms	02/18/15	\$20.45
Cintas	185501309	Community Center-Mats	02/18/15	\$20.75
Discovery Bay Studios	1299C	Community Center-Program Fees	02/16/15	\$292.50
Henson Plumbing, Inc.	46185	Community Center-Restroom Repair	02/10/15	\$126.70
Henson Plumbing, Inc.	47588	Restroom Repair Cornell Park	02/16/15	\$293.42
Office Depot	753828400001	Office Supplies	02/04/15	\$100.00
Office Depot	753835133001	Community Center-Office Supplies	02/04/15	\$27.11
Office Depot	755145994001	Community Center-Office Supplies	02/11/15	\$57.61
Office Depot	755146300001	Community Center-Office Supplies	02/11/15	\$8.29
Pacific Gas & Electric	0869258994-1/020915	Electric & Gas Bill 01/09/15-02/09/15	02/09/15	\$417.80
Pacific Gas & Electric	5702839598-6/021015	Community Center-Electric & Gas Bill 01/08/15-02/08/15	02/10/15	\$729.33
Pacific Gas & Electric	5939734421-5/021715	Electric & Gas Bill 01/16/15-02/17/15	02/17/15	\$6,767.40
Roy's Magic Camp	2015-2021	Community Center-Program Fees	02/23/15	\$160.00
Shred-It USA-Concord	9404910472	Community Center-Shredding Service	02/05/15	\$85.60
Town Of Discovery Bay CSD	363	Payroll Reimbursement Jan 2015	02/23/15	\$19,910.49
ULINE	65395396	Community Center-Safety Binder	02/18/15	\$36.51
Watersavers Irrigation Inc.	1524240-00	Community Center-Main Line Repair	11/18/14	\$243.23
Watersavers Irrigation Inc.	1525468-00	Community Center-Main Line Repair	11/24/14	\$303.42
Watersavers Irrigation Inc.	1540016-00	Fertilizer	02/11/15	\$1,966.09
Watersavers Irrigation Inc.	1540016-00	Community Center-Fertilizer	02/11/15	\$340.13
			Total	\$38,633.29

Request For Authorization To Pay Invoices (RFA)
For The Meeting On March 04, 2015
Town of Discovery Bay, D.Bay L&L Park #9 (Ravenswood)
For Fiscal Year's 7/14 - 6/15

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
American Retrofit Systems	1057	Install System Cable	02/19/15	\$250.00
Big Dog Computer	BDC33094	Email & Laptop Setup	02/12/15	\$133.50
Cintas	185500488	Uniforms	02/11/15	\$15.41
Cintas	185501309	Uniforms	02/18/15	\$20.46
Office Depot	753828400001	Office Supplies	02/04/15	\$38.61
Pacific Gas & Electric	0403377952-3/020915	Electric & Gas Bill 01/08/15-02/08/15	02/09/15	\$41.91
Town Of Discovery Bay CSD	364	Payroll Reimbursement Jan 2015	02/23/15	\$2,895.40
Watersavers Irrigation Inc.	1540016-00	Fertilizer	02/11/15	\$470.80
			Total	\$3,866.09



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 4, 2015

Prepared By: Rick Howard, General Manager

Submitted By: Rick Howard, General Manager

RH

Agenda Title

Approve and Record the Notice of Completion for the Swimming Pool Rehabilitation and Resurfacing Project and authorize release of the Retention.

Recommended Action

That the Board: 1) Accept the Notice of Completion for Burkett's Pool Plastering; 2) direct staff to record Notice of Completion with the Contra Costa County Recorder's Office; and 3) to release the retention 35 days after recordation of the Notice of Completion.

Executive Summary

On October 15, 2014 the Board authorized an expenditure in the amount of \$50,000 to replaster and resurface the Community Center Swimming Pool. There were two contract change orders associated with this project totaling \$6,190.00. The first was in the amount of \$1,790 and was associated with the cost of the Contra Costa County Department of Public Health Permit; while the second was to replace 2 broken and leaking skimmers at a cost of \$4,400. The total project cost is \$54,265.00

It has been determined that the work specified in the contract has been completed pursuant to the plans and specifications for the project. It is recommended that the work be accepted in accordance with the terms and conditions of the contract, including release of retention in the amount of \$2,403.75.00, and any performance bonds, if any. The retention will be released 35 days after recordation of the Notice of Completion with the Contra Costa County Recorder's Office.

Fiscal Impact:

Amount Requested \$2,403.75 to be payable 35 days after recordation.

Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis)

Prog/Fund # Category: Pers. Optg. Cap. X -or- CIP# Fund#

Previous Relevant Board Actions for This Item

Contract Authorization Date: October 15, 2014

Attachments

Notice of Completion

AGENDA ITEM: F-3

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

TOWN OF DISCOVERY BAY COMMUNITY
SERVICES DISTRICT
1800 Willow Lake Road
Discovery Bay, CA 94505-9376

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the Owner who contracted for the work of improvement hereinafter described.

2. The full name of the undersigned is:

TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT,
a Political Subdivision of the State of California.

3. The full address of the undersigned is:

1800 Willow Lake Road
Discovery Bay, CA 94505-9376

4. The nature of the title of the undersigned is that of a fee holder.

5. A work of improvement on the property hereinafter described was completed on January 24, 2015.

6. The name of the contractor for such work of improvement is Burkett's Pool Plastering.

7. The property on which said work of improvement was completed is in the unincorporated portion of the County of Contra Costa, State of California, and is described as follows:

Discovery Bay Community Center
1601 Discovery Bay Blvd.
Discovery Bay, CA 94505

8. The work of improvement consists generally of:

A. Community Swimming Pool Re-Plaster Project

RICHARD J. HOWARD, GENERAL MANAGER
FOR TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT

State of California)
)
County of Contra Costa)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

CITY OF CONTRA COSTA ENVIRONMENTAL HEALTH GENERAL RECEIPT

PROGRAM: 17 PLAN

ADDT. INFO: SR NEW RECEIPT XR0065974
 DATE: 11/13/14 4:23 pm AMOUNT \$ 2,190.00

PLAN REVIEW CONSTRUCTION/ REMODEL APPLICATION (INITIAL PLAN CHECK DEPOSIT)
 OR DISCOVERY BAY COMMUNITY CENTER 1601 DISCOVERY BAY BLVD DISCOVERY BAY, CA 94505

RECEIVED FROM BURKETT'S POOL PLASTERING CASH VISA
PO BOX 938 MONEY ORDER MC
SALIDA, CA 95368 CHECK
 CHECK NUM 079302
 By: KSMITH

PERSON / ORGANIZATION REQUESTING PLAN REVIEW

Applicant/Contact Person: Last Name, First Name Mason, Ethan / McKinney, Kyle Title:
 Company: Burkett's Pool Plastering Email Address: KPM1976@yahoo.com
 Mailing Address: 600 N. Frontage Rd City, State, Zip Code: Ripon, CA 95366
 Phone Number: 209-652-8843 Fax Number:
 Signature of Applicant/Contact Person: [Signature] Date: 11/13/14

BUSINESS OWNER INFORMATION (Permittee)

Business / Facility Owner Name: Fairin Perez New Owner: Yes No
 Owner Mailing Address/Home Address: 1601 Discovery Blvd. City, State, Zip Code: Discovery Bay, CA
 Billing Address (if different from mailing/home address): City, State, Zip Code:
 Phone Number: 925-634-1733 Fax Number: Email Address:
 Federal Tax ID # (If Corporation): Social Security #: Driver's License #:

FOR OFFICE USE ONLY

Service Request #:	Program Element #:	Census Tract:	District:	Date Received: <u>11-13-14</u>	Receipt #: <u>05174</u>	Received By: <u>KS</u>
Amount Due: <u>\$2190.</u>		Method of Payment: Check #: <u>079302</u>		Cash / Credit Card: <input type="checkbox"/> MC <input type="checkbox"/> VISA		

DEPOSIT AMOUNT MAY NOT COVER THE ENTIRE PLAN REVIEW TIME.
 ADDITIONAL HOURS MAY BE BILLED AT THE CURRENT HOURLY RATE.
 CONSTRUCTION/REMODEL IS NOT TO COMMENCE UNTIL PLANS ARE APPROVED AND BUILDING PERMITS OBTAINED.
 Agenda Item F-3

BURKETT'S

POOL PLASTERING, INC.

Replastering • Remodeling

CONTRACT CHANGE ORDER

Physical Address: 600 N. Frontage Rd. • Ripon, California 95366
 Mailing Address: P.O. Box 938 • Salida, California 95368
 (209) 599-3317 • (800) 517-3115 • Fax (209) 599-1743
 CA License# 608182 • NV License#0071844

MATT
2-4-15

CONTRACT CHANGE ORDER REPAIR ORDER ADDITIONAL WORK ORDER

Owner(s) Discovery Bay Community Center Date 2-3-2015
 Address 1601 Discovery Blvd Job Name (if different) _____
 City, State, Zip Discovery Bay, CA 94505 Job Location (if different) _____
 Home Phone () _____ Cell Phone () _____ Work Phone () _____

#01490
2/4/15
MP

ADDITIONAL WORK TO BE PERFORMED

Remove and replace (2) two pool skimmers. New	\$ 4400
concrete patch will not match existing. New skimmer to be	\$
pressure tested prior to completion.	\$
<i>Pricing per Rick</i>	\$
<i>MAT. (ST)</i>	\$
	\$
CHANGE ORDER TOTAL	\$ 4400

Price to owner

CHANGE ORDER PAYMENT DUE AT:

(this payment is in addition to original contract payment schedule)

<input type="checkbox"/> Strip	\$	<input type="checkbox"/> Tile/Coping	\$	<input type="checkbox"/> Prep	\$
<input type="checkbox"/> Demo	\$	<input type="checkbox"/> Decks	\$	<input checked="" type="checkbox"/> Other	\$ 4400
<input type="checkbox"/> Gunite	\$	<input type="checkbox"/> Equipment	\$	<input type="checkbox"/> Plaster	\$

NEW CONTRACT TOTAL
(including Change Order) **\$ 52,475**

ORDER ACCEPTANCE - OWNER

The above terms and specifications are hereby accepted. You are authorized to perform the work specified above. Order subject to managerial approval.

I (we) agree to be bound by the terms and conditions set forth in this order:

OWNER (agent) [Signature] OWNER (agent) Fairin Perez Date 02/03/2015
 ORDER PREPARED BY Scott Thompson DATE 2-3-2015 CSLB REGISTRATION # 72718 BA

ORDER ACCEPTANCE BURKETT S POOL PLASTERING INC. Office Use Only

NAME _____ TITLE _____ DATE _____ PROJECT # _____

BURKETT'S

POOL PLASTERING, INC.

Replastering • Remodeling

CONTRACT CHANGE ORDER # ~~XXXX~~

Physical Address: 600 N. Frontage Rd. • Ripon, California 95366
 Mailing Address: P.O. Box 938 • Salida, California 95368
 (209) 599-3317 • (800) 517-3115 • Fax (209) 545-3848
 CA License# 608182 • NV License#0071844

CONTRACT CHANGE ORDER REPAIR ORDER ADDITIONAL WORK ORDER

Owner(s) Discovery Bay Community Ctr. Date 2-20-15

Address 1601 Discovery Blvd. Job Name (if different) _____

City, State, Zip Discovery Bay, Ca. 94505 Job Location (if different) _____

Home Phone (209) 578-1293 Cell Phone () _____ Work Phone () _____

ADDITIONAL WORK TO BE PERFORMED

Contra Costa DEH permit fees	\$ 2190.00
Burkett's Admin fee	\$ 350.00
	\$ (750.00)
contract estimate	\$
	\$
	\$
Net amount above contract estimate CHANGE ORDER TOTAL	\$ \$1,790.00

CHANGE ORDER PAYMENT DUE AT:

(this payment is in addition to original contract payment schedule)

<input type="checkbox"/> Strip	\$	<input type="checkbox"/> Tile/Coping	\$	<input type="checkbox"/> Prep	\$
<input type="checkbox"/> Demo	\$	<input type="checkbox"/> Decks	\$	<input type="checkbox"/> Other	\$
<input type="checkbox"/> Gunite	\$	<input type="checkbox"/> Equipment	\$	<input type="checkbox"/> Plaster	\$

NEW CONTRACT TOTAL (including Change Order) **\$ \$54,265.00**

ORDER ACCEPTANCE - OWNER

The above terms and specifications are hereby accepted. You are authorized to perform the work specified above. Order subject to managerial approval.

I (we) agree to be bound by the terms and conditions set forth in this order:

OWNER (agent) _____ OWNER (agent) _____ Date _____
 ORDER PREPARED BY D Fagundes for S. Thompson DATE _____ CSLB REGISTRATION # N/A- Accounting

ORDER ACCEPTANCE - BURKETT'S POOL PLASTERING INC. Office Use Only

NAME _____ TITLE _____ DATE _____ PROJECT # _____



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 4, 2015

Prepared By: Dan Meewis, Recreation Coordinator

Submitted By: Rick Howard, General Manager *RH*

Agenda Title

2015 Parks and Recreation Event Calendar

Recommended Action

Approval of the Parks and Recreation Event Calendar for 2015

Executive Summary

2015 represents the second full year of event programming at the Community Center and the third full year of summer programming. The Community Center continues to offer a wide variety of programming for all age groups, not only at the Community Center itself, but also at other Town facilities.

The Community Center is a growing hub of activity in the community, and we continue to offer a wide variety of free as well as paid programming throughout the year. There also continues to be private parties that occur year round; including birthdays, weddings, memorial services, family reunions, and many others that schedule the Center for their private events.

The biggest challenge faced at the Community Center is marketing the wide variety of programming that is offered. While some programs continue to draw a large numbers of participants, many end up canceled due to lack of participation.

Staff has developed the attached public event schedule for Board consideration. The events listed are those which have been held in the past, as well as new ones for 2015. If the schedule is approved, those events will not come back before the Board for further authorization. Once each date and event type is accepted by the Board, Staff will then block those times and provide the event sponsor to proceed with their event planning.

Staff will also utilize these events as an opportunity to market programs offered at the Community Center or other Town facilities to those attending.

Events not on the schedule will be brought back to Board for further review and final approval at a future date under the following circumstances: 1) Any public event which is not on the schedule for which alcohol is requested to be served or sold; 2) Public events for which event costs are not anticipated to be met by the funds received for the event itself; or, 3) Public events which are added at a future date for which participation is expected to exceed 250 persons.

Fiscal Impact:

Amount Requested \$ N/A

Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)

Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

N/A

Attachments

Proposed 2015 Public Event Calendar

AGENDA ITEM: G-1

2015 Public Event Calendar

Date(s)	Time	Location	Event Title	Description	Attend.	Partnership	Sponsors	Vendors	Food	Alcohol	Licenses Required
4/4/2015	9-11 am	DBCC	Easter Egg Hunt	DB Lions Sponsored Easter Egg Hunt.	400+	DB Lions	No	No	No	No	
4/25/2015	9a - 4pm	DBCC	Earth Day Family Festival	4th Annual Earth Day Family Festival. Volunteer activities in morning, followed by live band, kids zone and vendor booths	200 - 300		Yes	Yes	Yes	No	CCC Health Permit ECCCFPD Event Permit Music Licensing
5/27/2015	10am-2pm	DBCC	National Senior Health and Fitness day	Focusing on senior health & Fitness, resources and activities. Programs demos, guest speakers, vendors.	300+		No	Yes	Yes	No	CCC Health Permit
June 19, 26 July 10, 17	6:30 pm - 10pm	DBCC	Family Film Nights	3rd Annual Friday Night film series. Organized this year by TODB; movie at sunset.	200-450		Yes	Yes	Yes	No	CCC Health Permit Movie Licensing ECCCFPD Event Permit
6/27/2015 - 6/28/15	3pm - 9am	Cornell Park	National Campout	Overnight camping at Cornell Park	500+	Delta Sun Times	Yes	Yes	Yes, Free	NO	CCC Health Permit
9/12/2015	8a - 2p	DBCC	DB Lions Car Show	Classic, Hot/Rod, Motorcycle Car Show, food/beer	300-400	DB Lions	Yes	No	Yes	Yes	CCC Health Permit ABC Permit ECCCFPD Event Permit
9/22/2015	TDB	DBCC	Community Open House Mixer	Open house for the community to meet their fellow community members, Music, Light Snacks, wine will be served.	100+	DB Chamber & DB lions	yes	no	Yes	Yes	CCC Health Permit ABC Permit ECCCFPD Event Permit
10/10/15 & 10/11/15	6am-7pm	DBCC	Rockin on the Bay "Final Final"	Kids zone, Possible car show, Business vendors, food vendors and concert. Beer and wine sales.	500 - 1,000	Discovery Bay Community Foundation	Yes	Yes	Yes	Yes	CCC Health Permit ABC Permit ECCCFPD Event Permit
TDB	8a - 8p	DBCC	Rocktoberfest	Kids zone, Possible car show, Business vendors, food vendors and concert. Beer and wine sales.	500 - 1,000	DB Lions	Yes	Yes	Yes	Yes	CCC Health Permit ABC Permit ECCCFPD Event Permit
Nov 9 - 20 November 21 Auction/ Boutique	5 - 7pm	DBCC	Festival of Trees	Fundraiser event. Trees decorated and placed in CC for silent auction during November. Final bid and award date TBD, possible wine/cheese affair, with Holiday boutique (Per ECCFPD Live trees must be treated with Fire Retardant Spray, professionally applied; or artificial tree)	100-150		Yes	Yes	Yes	Yes	CCC Health Permit ABC Permit
12/5/2015	6p - 10p	DBCC	Holiday Parade	Judging for event at CC in parking lot	1000+	DB Lions	Yes	No	No	NO	Event will need permits; Applied for by others.
12/12/2015	9am-12pm	DBCC	Cereal with Santa & Santa Paws	Light breakfast, art projects & pictures with Santa. 9-11am. Pet pics with Santa 11-12pm	50-100		Yes	No	Yes	NO	CCC Health Permit



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 4, 2015

Prepared By: Carol McCool, Administrative Assistant/Board Clerk

Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Agency Comment Request – Land Use Permit Application LP15-2007 – Temporary Events Permit Request - Discovery Bay Yacht Harbor

Recommended Action

As Necessary

Executive Summary

The Contra Costa County Department of Conservation and Development has requested Board input into the proposed approval for the final development plan modification for allowing 16 annual temporary events to be held at the Discovery Bay Yacht Harbor.

The proposed events include an annual triathlon, poker run, concerts, automobile/boat/motorcycle shows, weddings and other community events.

The Contra Costa County Department of Conservation and Development is seeking Board input into this proposed application.

Fiscal Impact:

Amount Requested \$ N/A

Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)

Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

N/A

Attachments

Agency Comment Request – LP15-2007

AGENDA ITEM: G-2



CONTRA COSTA COUNTY
Department of Conservation & Development
Community Development Division

LAND USE PERMIT APPLICATION

TO BE COMPLETED BY OWNER OR APPLICANT

OWNER Name Discovery Bay Yacht Harbor, LLC Address 5901 Marina Rd. Ste.1 City, State/Zip Discovery Bay, CA 94505 Phone 925-634-5928 email info@dbyhmarina.com	APPLICANT Name <i>Same</i> Address City, State/Zip Phone email
By signing below, owner agrees to pay all costs, including any accrued interest, if the applicant does not pay costs. <input checked="" type="checkbox"/> Check here if billings are to be sent to applicant rather than owner. Owner's Signature <i>[Signature]</i>	By signing below, applicant agrees to pay all costs for processing this application plus any accrued interest if the costs are not paid within 30 days of invoicing. Applicant's Signature _____
CONTACT PERSON (optional) Name Jamal Acito Address 5901 Marina Rd. Ste.1 City, State/Zip Discovery Bay, CA 94505 Phone 925-634-5928 email jacito@dbyhmarina.com	PROJECT DATA Total Parcel Size: 8.45 acre Proposed Number of Units: N/A Proposed Square Footage: N/A Estimated Project Value: 6 Million
Project description (attach supplemental statement if necessary):	

↓ FOR OFFICE USE ONLY ↓↓ FOR OFFICE USE ONLY ↓↓ FOR OFFICE USE ONLY ↓

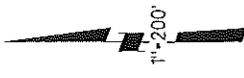
Project Description: The applicant is requesting approval of a final development plan modification for the purposes of allowing a total of 16 temporary events to be held at the Discovery Bay Yacht Harbor per year. The proposed events include an annual triathlon, poker runs, concerts, automobile/boat/motorcycle shows, weddings and other community events.

Property description:

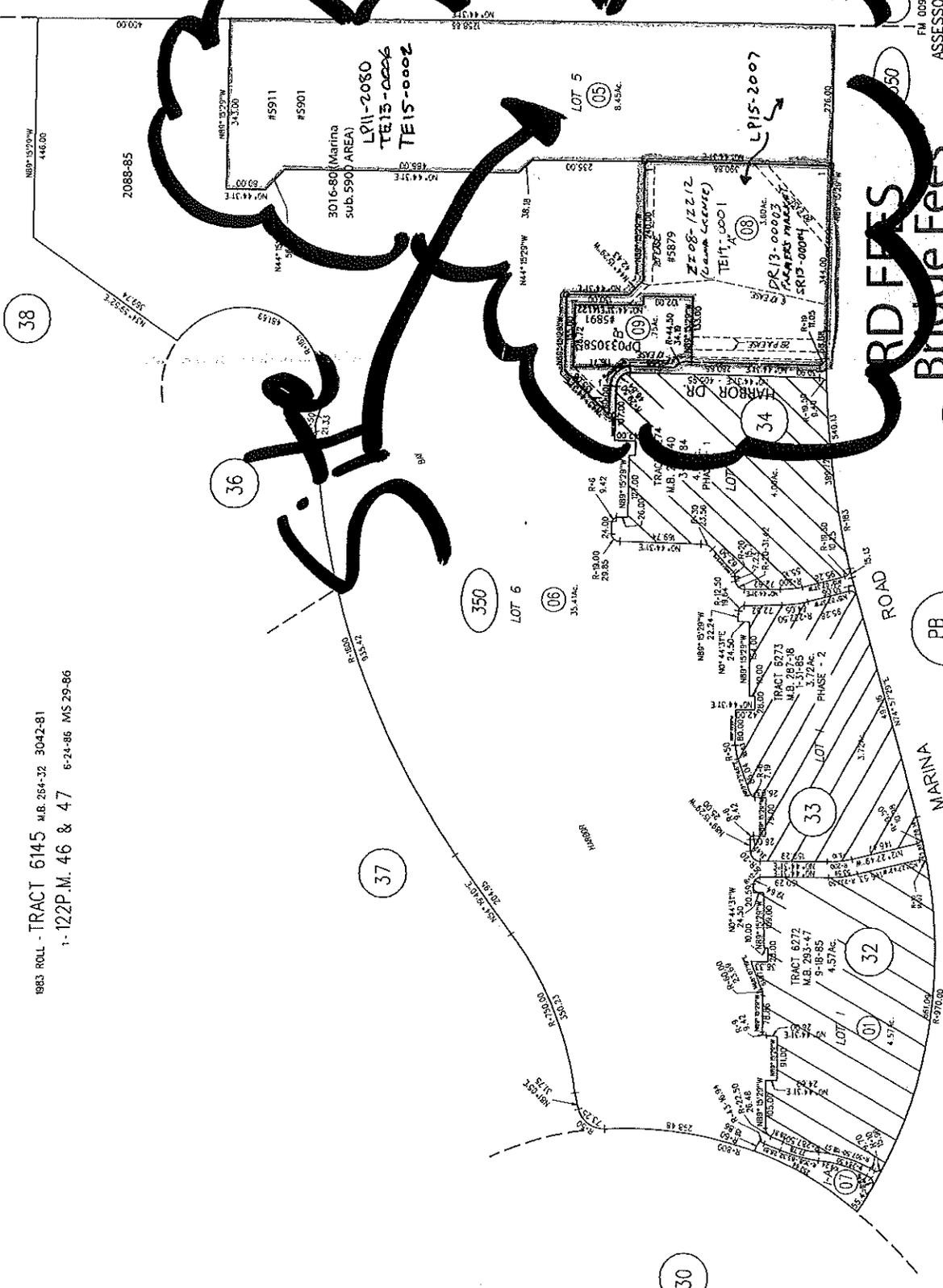
Ordinance Ref.:	TYPE OF FEE	FEE	CODE	Assessor's #: 004-350-008 & 005
Area: <i>Discovery Bay</i>	*Base Fee/Deposit	<i>\$2,900</i>	S-	Site Address: <i>5879 Marina Rd.</i>
Fire District: <i>East CoG/consolidated</i>	Late Filing Penalty +50% of above if applicable)		S-066	Zoning District: <i>P-1</i>
Sphere of Influence: <i>—</i>	½% est. value over \$100,000		S-029	Census Tract: <i>3040.00</i>
Flood Zone: <i>B/A</i>	#Units _____ x \$195.00 Sq. Ft. x \$0.20		S-014	Atlas Page: <i>ZM: N-29</i>
Panel Number: <i>—</i>	Notification Fee	<i>15.00 / 30.00</i>	S-052	General Plan: <i>CR</i>
x-ref Files: <i>3016-80</i>	Fish & Game Posting (if not CEQA exempt)	<i>75.00</i>	S-048	LP/DP Combination: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	Environmental Health Dept.	<i>57.00</i>	5884	Supervisorial District: <i>3</i>
	Other:			Received by: <i>Francisco Avila</i>
Concurrent Files: <i>—</i>	TOTAL	<i>\$ 3,087.00</i>		Date Filed: <i>February 4, 2015</i>
	Receipt	<i>#150001225</i>		File # <i>LP15-2007</i>
*Additional fees based on time and materials will be charged if staff costs exceed base fee.				

INSTRUCTIONS ON REVERSE

CT:3040.00



1983 ROLL - TRACT 6145 M.B. 264-32 3042-81
1-122P.M. 46 & 47 6-24-86 MS 29-86



Site

RD FEES
Bridge Fees

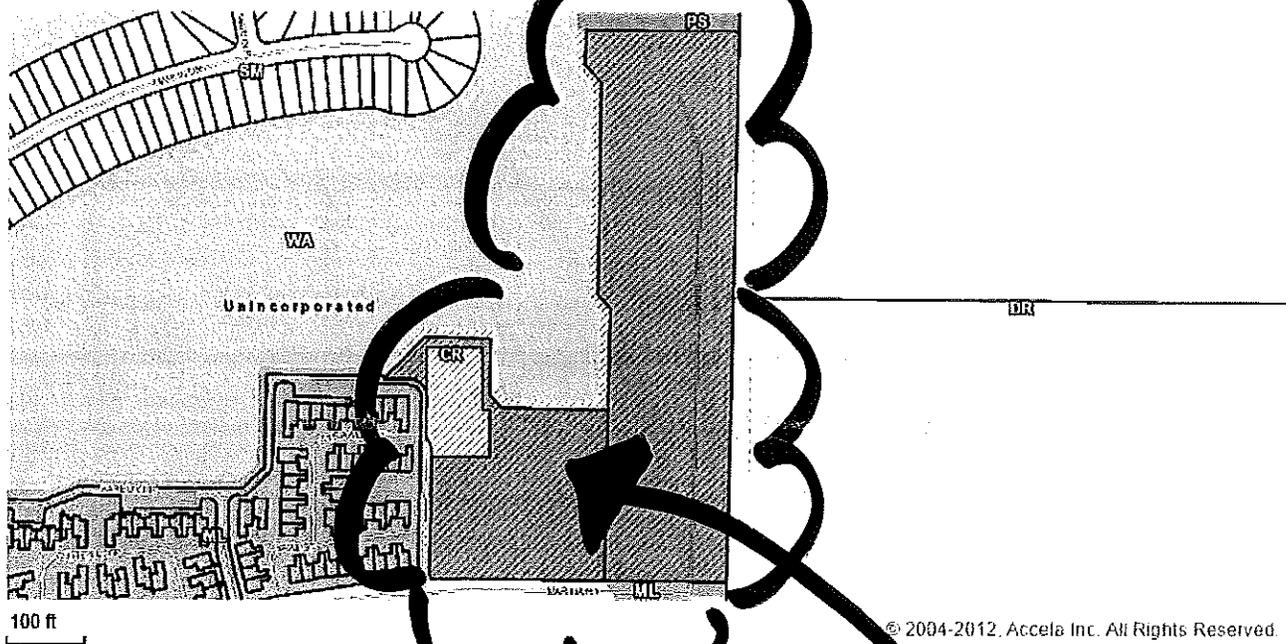
ZM N-29

FM 009-73
ASSESSOR'S MAP
BOOK 04 PAGE 35

FM 9-22-24 6-21-82

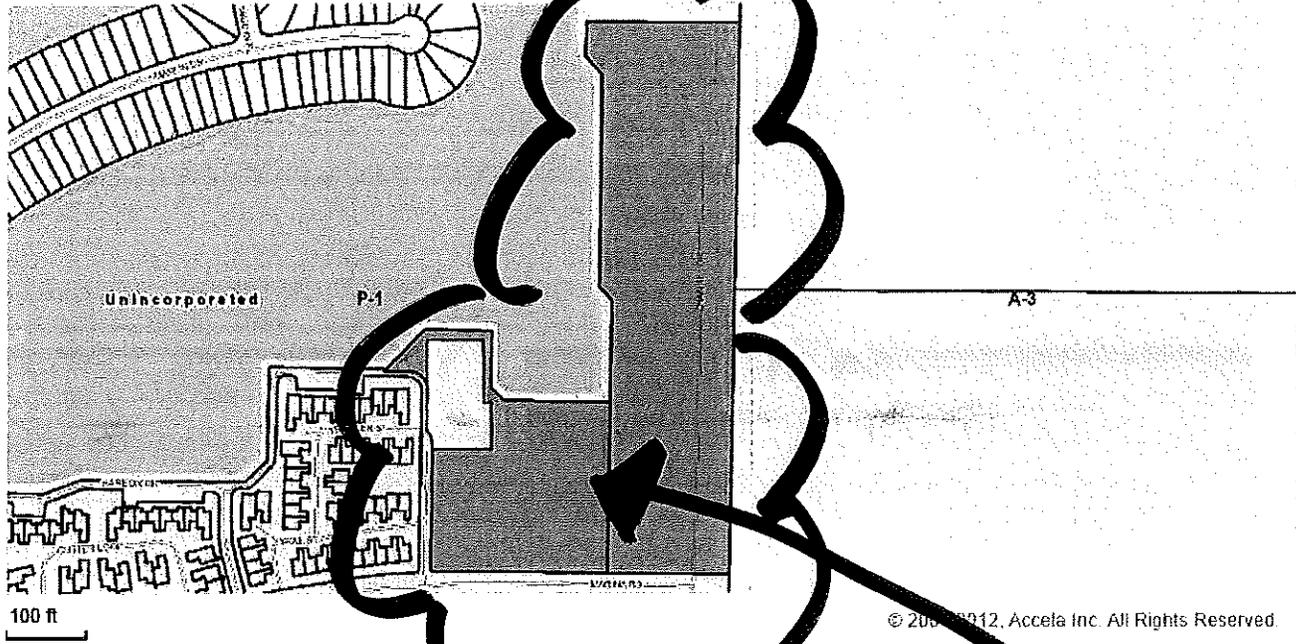
CONTRA COSTA COUNTY, CALIF.

General Plan: Commercial Recreation



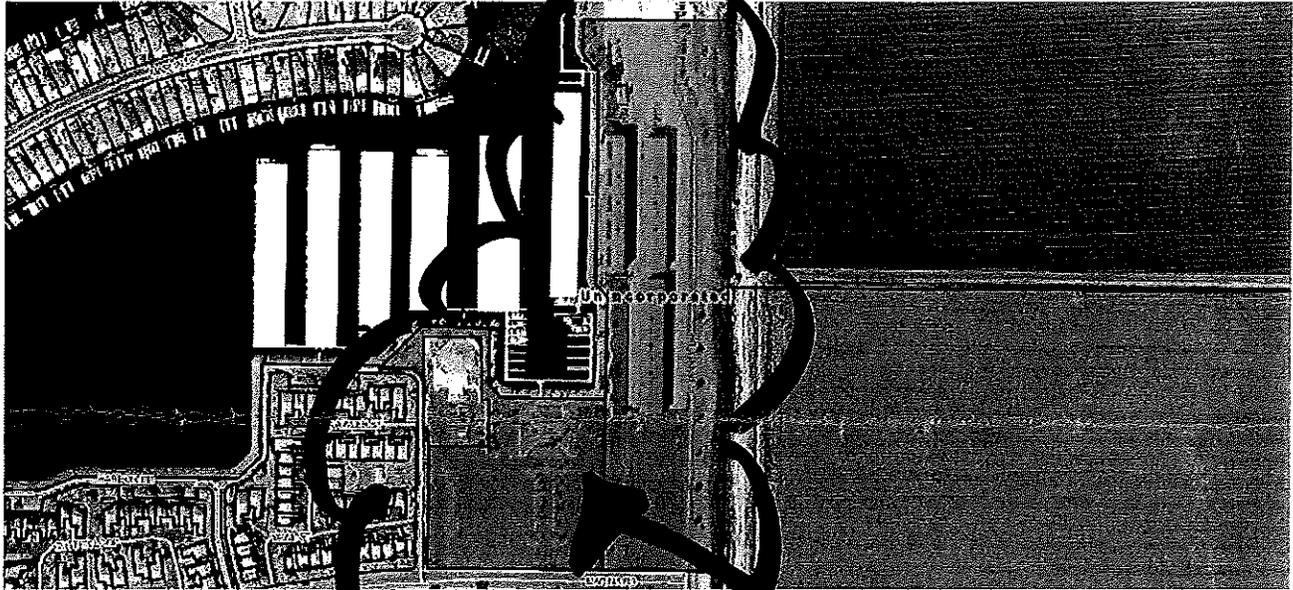
Handwritten annotation: A large, thick black cloud-like shape with an arrow pointing to the 'CR' area. Below the cloud, the word 'Site' is written in a large, cursive, handwritten font.

Zoning: Planned Unit District (P-1)



Site

Aerial View



100 ft

© 2004-2012, Accela Inc. All Rights Reserved

Site

DB Yacht Harbor

As the county code only allows three permitted events per calendar year at any APN or street address we are requesting a Conditional Use Permit so we may have multiple events at the yacht harbor. As this is zoned commercial / recreational the events we have planned are the suited for the use for this property. Enclosed are the three packages with all the information required per the application. Please feel free to contact us at any time if more information is necessary. We are looking forward to completing this process as quickly as possible and will work with the county to that end.

Poker Runs

The poker runs will be held at the Marina and consist of approximately 500 attendees over a 48 hour period and will not go past 9:30 PM with the average age ranging between 35-65 years of age. Bands will play music that will complement that age range. There will be a variety of food prepared from the boardwalk grill and other pre packaged foods. Beer and wine will be sold as that is how the non-profit organizations raise funds to give back to the community. See map 2 for layout details.

Concerts

The concerts which will be held at the Marina will consist of approximately 500 attendees over a four hour period and will not go past 9:30 PM with the average age ranging between 35-65 years of age. Bands will play music that will complement that age range. There will be a variety of food prepared from the boardwalk grill and other pre packaged foods. Beer and wine will be sold as that is how the non-profit organizations raise funds to give back to the community. See map 1 for layout details.

Triathlons

The Triathlons, Marathons or similar may be a 12 hour total event which may consist of up to 800 athletes on the premise but not for any great length of time as all the athletes would primarily start and end within the assigned parcels defined in the CUP.

The events themselves are usually no more than four hours in length however set up and take down may take many hours. Every event may vary in participation.

Other Events.

Since the Condition Use Permit goes into perpetuity as long as the Yacht Harbor remains as such it would be difficult to assess what different events we may have in the future. We may have weddings, car and motorcycle shows or boat shows as we have had for many years prior to the depression in 2007 and other great events to help our community in the many years ahead.

We are requesting that the Conditional Use Permit allows the Yacht Harbor and its adjacent properties to conduct a total of 16 events per year with no more than 800 people on any one parcel at a time. With the understating there may be beer, wine, food and music at any event going no later than 10:00 PM.

DBYH CUP Plot, Floor, & Building Plan

A. See exhibits A

B. See exhibits A & B

C. No proposed improvements

D. No proposed improvements on parcels

E. Adjoining property owner same as applicant

F. Lawn area highlighted on exhibit D, also see attached exhibits A, B, and C.

G. See exhibit D

H. See attached exhibits A and C

I. See attached exhibits A, B, and C

J. See exhibit A and B

K. See exhibit A, B, & D

L. Vicinity map attached as exhibit A

Floor Plans

M. No proposed improvements (outdoor events) see exhibit C for common areas (i.e. lawn)

N. Outdoor event, no

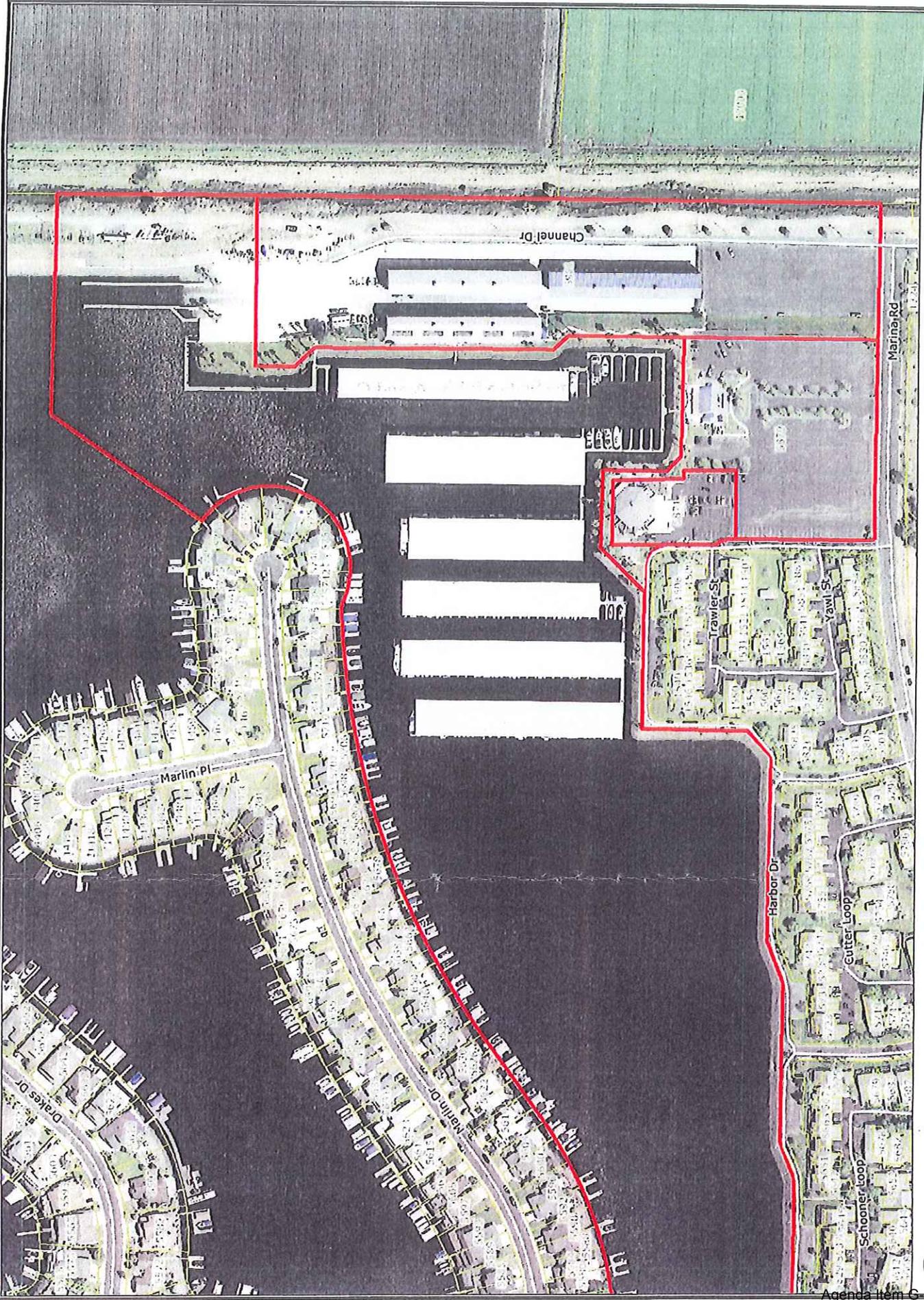
Building Elevations

O. No proposed improvements

P. No proposed exterior ornamentation

Q. No proposed exterior materials

Exhibit A



Scale 1:2,996
Contra Costa Internet GIS Map
Printed: Dec 11, 2014 12:02:10 PM

Discovery Bay Yacht Harbor Property Map



EXHIBIT B

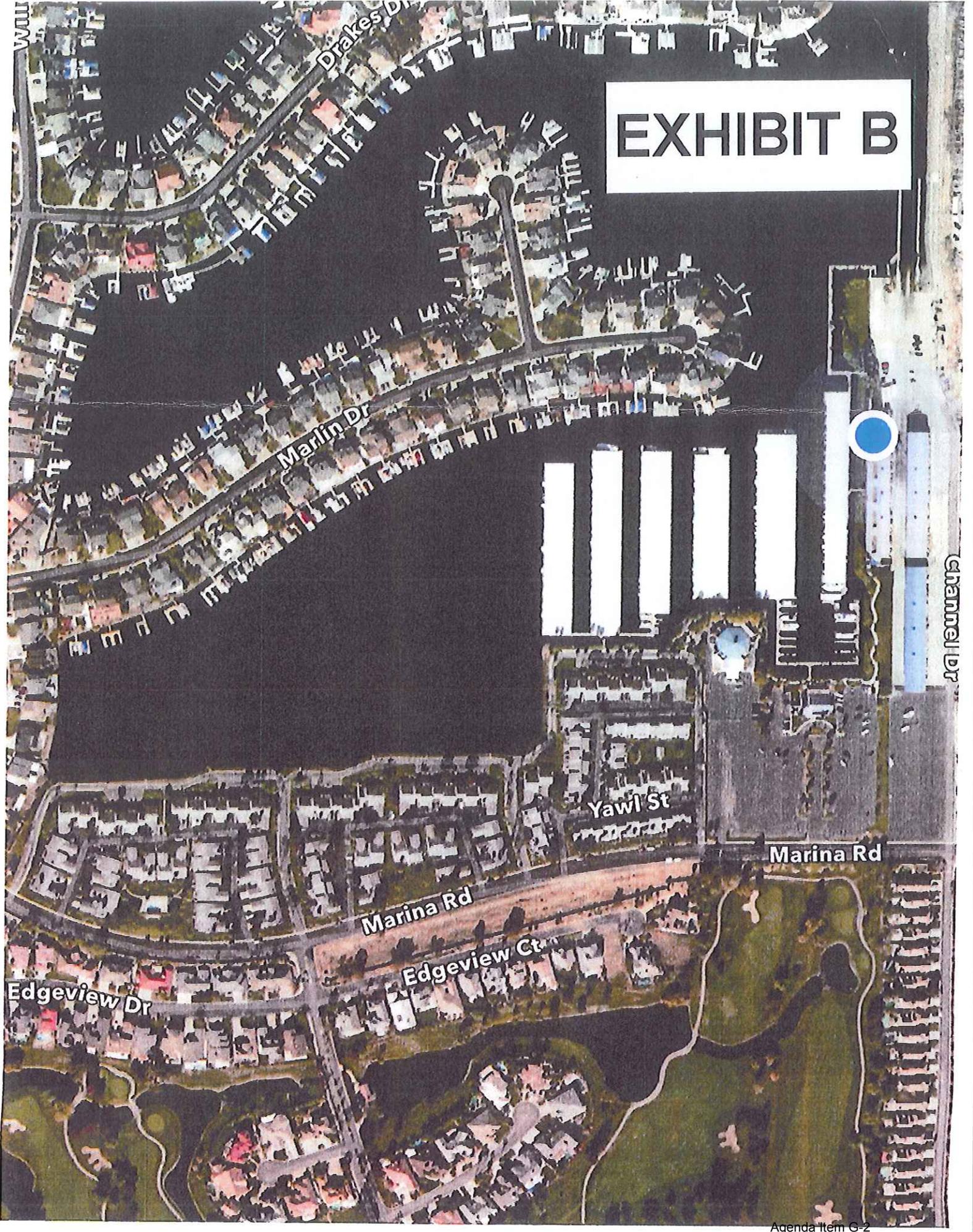


Exhibit C

MARINA INFORMATION

See Dockmaster For Waste Oil Disposal

Dockmaster's Office Is Open

8:00 AM Until 5:00 PM

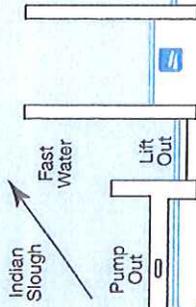
Pets Welcome But Must Be On A Leash

Observe No Wake Zone, All Discovery Bay Waters 5 M.P.H.

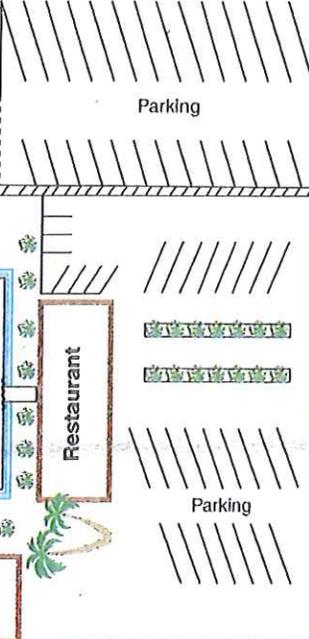
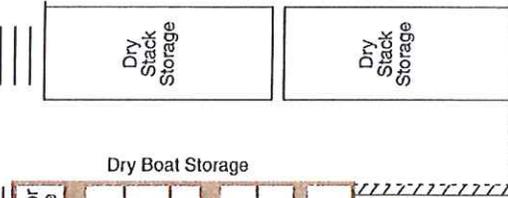
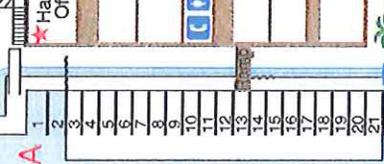
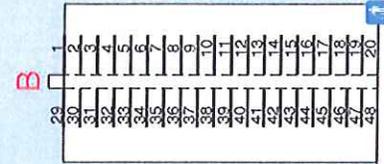
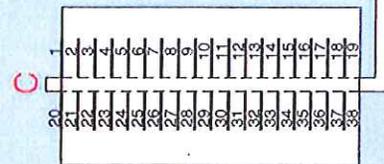
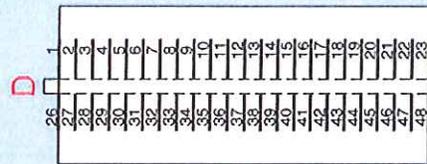
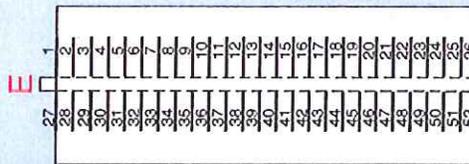
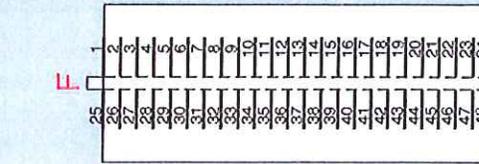
Pump Out Free To Berthens

Please Notify Dockmaster On Check Out

Please Be Considerate of Your Neighbors When Partying



Harbor Bay



LEGEND

- Restrooms
- Showers
- Phone
- Boat Ramp
- Trash Cans
- Boat Slips Covered
- Boat Slips Not Covered
- Gates

EMERGENCY NUMBERS

911
 Sheriff - (925) 646-2441
 US Coast Guard - (707) 374-2871
 VHF Ch. 16

Not For Navigational Purposes

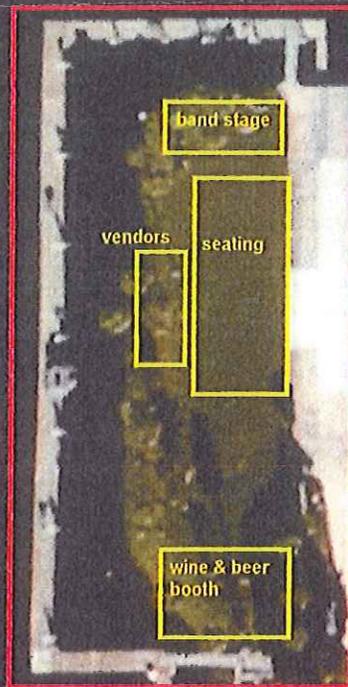
Exhibit D



Chappel Dr

Exhibit E

Concerts



Channel Dr



Exhibit F

Poker Run

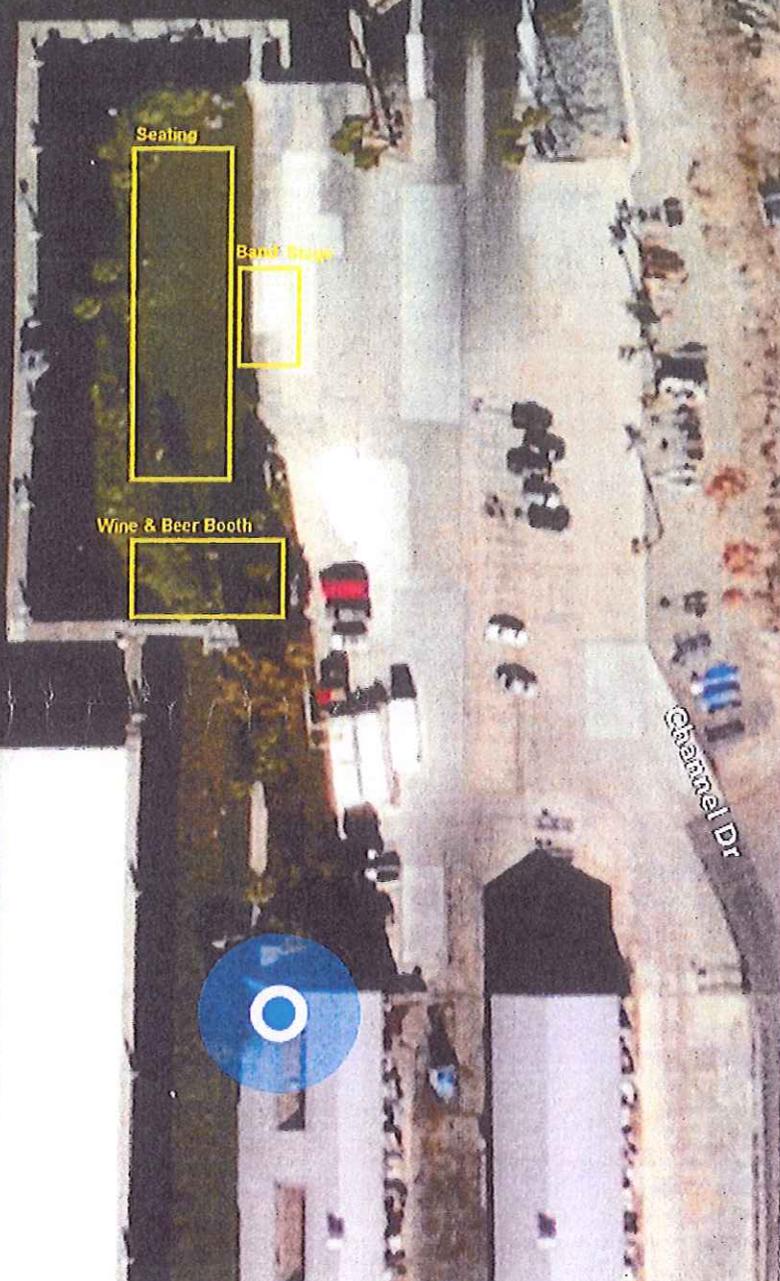


Exhibit G

Triathlon





Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

March 4, 2015

Prepared By: Dina Breitstein, Finance Manager

Submitted By: Rick Howard, General Manager

Agenda Title

Approve and Adopt Resolution No. 2015-04 Establishing a Revolving Fund Pursuant to Government Code §53952

Recommended Action

Rescind Resolution No. 2012-29 and Adopt Resolution No. 2015-04 appointing ECC Bank, a Division of Bank of Agriculture and Commerce Bank, as an alternative depository for certain district funds and establish a revolving fund pursuant to Government Code Section §53952

Executive Summary

In 2011 SB 288 (NEGRETE) was approved and signed into law by the Governor changing preexisting law that had not been adjusted in over fifty (50) years regarding a Community Service District's ability to utilize a revolving fund for day-to-day small transactions. This change in law was incorporated into Government Code §53952 et seq. and provides the authority for an independent special district to establish of a revolving fund in an amount not to exceed 110 percent of one-twelfth of the district's adopted budget for that fiscal year. For the current Fiscal Year, that amount is \$1,698,974 (110% of 1/12 of \$12.871M). ECC Bank, A Division of Bank of Agriculture and Commerce Bank is the District's alternative depository. The current account balance is \$580,590.

On November 7, 2012, the Board adopted Resolution No. 2012-29 that complied with the new law and provided the District the flexibility to pay authorized expenditures from the alternate depository up to \$100,000.00, with certain exceptions. The authorization also provided a mechanism to authorize a payment in excess of \$100,000.00 from the alternative depository and that the warrant request be presented to the Board as a separate action before the Board at a Regular or Special meeting of the Board.

The primary reason the not to exceed \$100,000 threshold limit was established, the Veolia Water invoice for monthly services did not exceed \$100,000. The Town receives a 1% discount if the invoice is paid within 10 days of receipt. Over the course of the year, this amount represents roughly \$12,000 in savings to the Town. However, the contract price has inched up over the last three years resulting in a current contract monthly invoice of just over \$100,000. The Town has had difficulty with the County (primary depository) paying the invoice in a timely manner, thus possibly missing out on the 1% discount. Veolia has been cooperative but has asked that we address the matter in order to fulfill the terms of the contract that provide for the 1%net10 option of payment.

Staff recommends that Resolution No. 2012-29 be rescinded and replaced with Resolution No. 2015-04 providing that invoices from Veolia Water for their monthly service agreement (currently at \$101,009) shall be the exception to the \$100,000 payment limit from the alternative depository account.

The proposed action will continue to provide the Town the flexibility to pay authorized expenditures up to \$100,000.00, with the exception of the Veolia Water monthly services invoice.

Fiscal Impact:

Amount Requested \$ N/A

Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)

Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

Resolution No. 2004-08 Dated June 16, 2004, Resolution No. 2012-29 dated November 7, 2012.

Attachments

Resolution No. 2015-04

AGENDA ITEM: G-3



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2015-04

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
RESCINDING RESOLUTION NO. 2012-29 AND AFFIRMING ECC BANK,
A DIVISION OF BANK OF AGRICULTURE AND COMMERCE BANK
AS ALTERNATIVE DEPOSITORY FOR CERTAIN DISTRICT FUNDS AND
AFFIRMING A REVOLVING FUND PURSUANT TO GOVERNMENT CODE SECTION 53952

WHEREAS, the Town of Discovery Bay Community Services District Board of Directors has previously adopted Resolution No. 2012-29 appointing Bank of Agriculture and Commerce as alternative depository for certain district funds, and

WHEREAS, Pursuant to Government Code §53952(b) an independent special district, as defined in Government Code §61000, may by resolution provide for the establishment of a revolving fund in an amount not to exceed 110 percent of one-twelfth of the district's adopted budget for that fiscal year. The fund may be used to pay any authorized expenditures of the independent special district, and

WHEREAS, the District regularly collects funds from rate payers for water consumption or from contributions to the Community Center fund and those funds are deposited in the ECC Bank on behalf of the District; and

WHEREAS, the General Manager, or designee, shall have authority to make disbursements from the revolving fund and is responsible for keeping account of all receipts and disbursements from the fund, and

WHEREAS, the fund is necessary in order to pay down the ECC bank accounts in order to remain within the limits allowed pursuant to Government Code §53952, and

WHEREAS, the maximum amount of the fund shall not exceed 110 percent of one-twelfth of the district's adopted budget for that fiscal year, and

WHEREAS, individual payments from the account shall not exceed \$100,000.00 and all payments of any amount are to be authorized by the Board of Directors with two (2) signatures required; and

WHEREAS, payments that are contractually obligated to Veolia Water shall be allowed to be paid from this account and shall not be subject to the spending \$100,000 limit.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to Government Code §53952(b) the Town of Discovery Bay provides for a revolving fund in an amount not to exceed 110 percent of one-twelfth of the district's adopted budget for that fiscal year.

SECTION 2. The fund may be used to pay any authorized expenditures of the Town of Discovery Bay.

SECTION 3. The purpose of the revolving fund is to be able to have the flexibility of paying District invoices that do not exceed \$100,000.00.

SECTION 4. That invoices from Veolia Water for monthly contractual services that exceed \$100,000 be authorized to be paid from this account when the 1%Net10 option is available to the Town per the terms of the contract between the Town of Discovery Bay and Veolia Water .

SECTION 5. That the General Manager, or designee, shall have authority to make authorized disbursements from the revolving fund and is responsible for keeping account of all receipts and disbursements from the fund.

SECTION 6. Signature requirements for warrants issued from these accounts shall be in accordance with Article VII of the District's Bylaws.

SECTION 7. That any individual disbursement from the account shall not exceed \$100,000.00 and all payments of any amount are to be authorized by the Board of Directors at a Regular or Special meeting of the Board of Directors.

SECTION 8. The Board of Directors may waive the \$100,000.00 limit as identified in SECTION 7, above, of any single disbursement at a Regular or Special meeting of the Board of Directors provided that such action shall be taken independently and as a part of a Staff Report to the Board specifically addressing the disbursement.

SECTION 9. This resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED THIS 4th DAY OF MARCH, 2015.

V. Chris Steele
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on March 4, 2015, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Richard J. Howard
Board Secretary



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Chris Steele • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Mark Simon

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TOWN OF DISCOVERY BAY
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